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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

In re:

TULARE LOCAL HEALTHCARE
DISTRICT dba TULARE REGIONAL
MEDICAL CENTER,

Debtor.

Case No.: 17-13797-9-B

Chapter 9

DC No.: WW-32

DECLARATION OF HAGOP T. BEDOYAN
IN SUPPORT OF HCCA'S OPPOSITION TO
APPLICATION FOR EX PARTE ORDER
AUTHORIZING FRBP 2004 EXAMINATION
AND PRODUCTION OF DOCUMENTS
(JPMORGAN CHASE BANK, N.A.)

Date: June 26, 2018

Time: 9:30 a.m.

Dept: B, Ctrm. 13

Place: U.S. Courthouse

2500 Tulare Street, 5TH Floor
Fresno, CA

JUDGE: Hon. René Lastreto, II

1 I, HAGOP T. BEDOYAN, declare:

2 I am an attorney at law admitted to practice law before all courts in the State of
3 California. I am admitted to practice law in the United States District Court for the Eastern
4 District of California and I am a partner in the law firm Klein, DeNatale, Goldner, Cooper,
5 Rosenlieb & Kimball, LLP ("KDG").

6 1. At the present time, the Debtor and HCCA are parties to two separate adversary
7 proceedings pending in this Court. The first adversary proceeding, Case No. 17-01095, was
8 commenced in this Court on December 28, 2017, when the Debtor removed to this Court a
9 pending state court action in the Los Angeles Superior Court entitled, *Healthcare*
10 *Conglomerate Associates, LLC v. Tulare Local Health Care District, dba Tulare Regional*
11 *Medical Center*, Case No. BC 676133 (the "Removed Action") [Dkt. No. 1]. On January 4,
12 2018, the Debtor served and filed its answer to HCCA's complaint [Dkt. No. 8] and also filed a
13 counterclaim against HCCA asserting eleven (11) different causes of action [Dkt. No. 9]. The
14 Removed Action has been the subject of multiple stipulations extending deadlines and hearing
15 dates, including the hearings on HCCA's motion to remand [Dkt. No. 17] and two motions to
16 dismiss the Debtor's counterclaim [Dkt. No. 21] and to strike portions of the Debtor's answer
17 [Dkt. No. 26]. Further hearings in the Removed Action are set for June 27, 2018, at 1:30 p.m.

18 2. The second adversary proceeding between the parties was commenced by the
19 Debtor on January 23, 2018, Case No. 18-01005, when the Debtor filed its Complaint to Avoid
20 Preferential Transfers, Fraudulent Conveyance and for Declaratory Relief [the "Avoidance
21 Action"] [Dkt. No. 1]. On April 5, 2018, HCCA filed its answer to the complaint in the
22 Avoidance Action [Dkt. No. 16]. On May 8, 2018, the Debtor filed its First Amended
23 Complaint to Avoid Preferential Transfers, Fraudulent Conveyance, Declaratory Relief and
24 Cancellation of Written Instrument (the "First Amended Complaint") [Dkt. No. 27]. HCCA's
25 response to the First Amended Complaint is due on June 4, 2018. The next status conference in
26 the Avoidance Action is scheduled for June 27, 2018 at 1:30, based upon a stipulation and
27 order filed with the Court on May 8, 2018 [Dkt. No. 29].

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1 3. On May 30, 2017 (and on previous occasions), I provided the Debtor's attorneys
2 information regarding certain transfers of monies from and among HCCA's bank accounts at
3 Chase, making the Debtor aware of the existence of HCCA's bank accounts at Chase.

4 4. As noted above, the Debtor filed its Application on May 30, 2018, in which it
5 requests an order authorizing the examination of Chase Bank accounts pursuant to FRBP 2004
6 and the issuance of a Subpoena for 2004 Examination with Production of Documents. The
7 Application does not specify whose bank account information is being sought by the Debtor.

8 I declare under penalty of perjury under the laws of the United States of America that
9 the foregoing is true and correct and if called as a witness I could and would testify
10 competently thereto.

11 I further declare that this declaration was executed this 31st day of May 2018, at Fresno,
12 California.

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14 HAGOP T. BEDOYAN